

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5302

AN ORDINANCE relating to service charges for the Storm and Surface Water Utility of the City; eliminating certain charges for real property within portions of the Meydenbauer Drainage Basin; providing for direct facilities and direct benefit line charges for certain properties; amending section 5 of Ordinance 3372 and repealing sections 1, 2, 3, 4 and 6 of Ordinance 3372.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. **No Detention Zone.** There is established a “No Detention Zone” consisting of those properties located within the Downtown, as defined in BCC 20.50.016, which are west of 108th Avenue N.E. and within the Meydenbauer Drainage Basin, as identified in Attachment A. The owners of such properties who have paid all service charges due under Section 1 of Ordinance 3372 will not be required to provide storm drainage detention facilities at the time of development or redevelopment of their properties.

Section 2. **Local Service Zone.** There is established a “Local Service Zone” consisting of those properties within the No Detention Zone defined in Section 1 above, except for the area of the No Detention Zone which is south of N.E. 8th Street and west of Bellevue Way and except for the area of the No Detention Zone which is south of N.E. 2nd Street and east of Bellevue Way, as identified in Attachment A. The owners of such properties who have paid all service charges due under Section 2 of Ordinance 3372 will not be required to provide conveyance system upgrades from such properties to the Meydenbauer Drainage Trunkline at the time of development or redevelopment of their properties.

Section 3. **Direct Facilities Charge.** The property owner of any property within the No Detention Zone, as defined in Section 1 or within the Local Service Zone, as defined in Section 2, who has not paid all or a portion of the service charges due under Sections 1 and/or 2 of Ordinance No. 3372 shall pay an in lieu direct facilities charge equivalent to the present worth of the service charges that should have been paid under Ordinance No. 3372. The direct facilities charges, due at the time of development or redevelopment, shall be based on the original service charge of .0737 cents per square foot per month for the No Detention Zone and an additional service charge of .1360 cents per square foot per month for the Local Service Zone.

Section 4. Section 5 of Ordinance No. 3372 is amended to read as follows:

Direct Benefit Line Charge. A direct benefit line charge of \$128.48 per linear foot, effective July 1, 2001, of replaced line shall be imposed at the time of development or redevelopment upon all properties within the Downtown, as defined in Bellevue City Code 20.50.016, located between N.E. 2nd Street and N.E. 12th Street as identified in Attachment

B, which benefited from removal of drainage facilities encumbrance when the Meydenbauer Drainage Trunkline was constructed. Such charge shall be indexed at the time of development or redevelopment using the Engineering News Record Cost of Construction Index for Seattle. The direct benefit line charge shall be based on the straightline distance between the property lines where drainage facilities originally encumbered the property. This dimension is the length of the encumbrance removed when the trunkline was built.

Section 5. Sections 1, 2, 3, 4 and 6 of Ordinance No. 3372 are repealed effective July 1, 2001.

Section 6. This ordinance shall take effect and be in force thirty (30) days after passage by the City Council.

Passed by the City Council this 9th day of July, 2001, and signed in authentication of its passage this 9th day of July, 2001.

(SEAL)

Chuck Mosher, Mayor

Approved as to form:
Richard L. Andrews, City Attorney
Richard Gidley, Deputy City Attorney

Attest:
Myrna L. Basich, City Clerk

Published July 13, 2001